1 THE HONORABLE JUDGE BENJAMIN H. SETTLE 2 3 4 5 6 7 8 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF PIERCE 9 10 AARON STEWART, an individual, NO. 3:23-cv-05786 Plaintiff, 11 ORDER DISMISSING EXTRA SPACE VS. 12 STORAGE'S COUNTERCLAIM EXTRA SPACE STORAGE, a foreign AGAINST AARON STEWART corporation, CITY OF TACOMA, a public 13 entity 14 Defendants. 15 EXTRA SPACE STORAGE, a foreign 16 corporation, Counterclaimant, 17 v. 18 AARON STEWART, an individual, 19 Counterclaim Defendant. 20 THIS MATTER having come on before the undersigned judge in the above-entitled 21 court, the Court having considered the Stipulation of the parties, and the court deeming 22 otherwise fully advised in the premises, now, therefore, it is hereby: 23 24 ORDERED, ADJUDGED AND DECREED that Extra Space Storage's counterclaim WILSON, ELSER, MOSKOWITZ, ORDER DISMISSING EXTRA SPACE STORAGE'S EDELMAN & DICKER LLP COUNTERCLAIM AGAINST AARON STEWART - 1 520 PIKE STREET, SUITE 2350 SEATTLE, WA 98101

> (206) 709-5900 (MAIN) (206) 709-5901 (FAX)

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against counterclaim defendant Aaron Stewart is dismissed, pursuant to Fed. R. Civ. P. 1 41(a)(1)(A)(ii). Under Rule 41(a)(1)(B), this dismissal is without prejudice. 2 No claims remain either by or against Extra Space Storage in this lawsuit. 3 4 DATED this 26th day of August, 2024. 5 6 7 8 United States District Judge 9 10 Presented by: 11 WILSON, ELSER, MOSKOWITZ, 12 EDELMAN & DICKER LLP 13 /s/ Erik Connell Erik Connell, WSBA No. 46365 14 520 Pike Street, Suite 2350 Seattle, WA 98101 15 (206) 709-5900 (main) (206) 709-5901 (fax) 16 erik.connell@wilsonelser.com 17 Attorneys for Defendant Extra Space Storage 18 LINDQUIST, PLLC 19 By: <u>/s/Neil T. Lindquist (via e-mail appr</u>oval) 20 Neil T. Lindquist, WSBA #52111 21 LAW OFFICE OF JOSEPH ROME 22 By: /s/Joseph Rome (via e-mail approval) 23 Joseph Rome, WSBA #37651 24 Attorneys for Plaintiff

ORDER DISMISSING EXTRA SPACE STORAGE'S

COUNTERCLAIM AGAINST AARON STEWART - 2

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP 520 PIKE STREET, SUITE 2350 SEATTLE, WA 98101 (206) 709-5900 (MAIN) (206) 709-5901 (FAX)

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2	TACOMA CITY ATTORNEY
3	By: /s/Michelle N. Yotter (via e-mail approval) Michelle N. Yotter, WSBA #49075
4	Deputy City Attorney
5	Attorney for Defendant City of Tacoma
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ORDER DISMISSING EXTRA SPACE STORAGE'S COUNTERCLAIM AGAINST AARON STEWART – 3

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